

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 31, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

IVAN RENTERIA CASTILLO (01),
DUVIEL HUMBERTO SOLARES
GASTELUM (02),

Defendants.

No. 4:19-cr-06049-SMJ-1
4:19-cr-06049-SMJ-2

**ORDER RESETTING PRETRIAL
CONFERENCE, TRIAL, AND
RELATED CASE MANAGEMENT
DEADLINES**

Pursuant to Eastern District of Washington General Order No. 20-101-1, and in light of the evolving public health crisis caused by the outbreak of the Coronavirus Disease 2019 (COVID-19) and the recently-declared national emergency, the Court finds the interests of justice require the pretrial conference, currently set for April 2, 2020, be **RESET** to May 13, 2020. The Court also finds the resulting delay requires the jury trial, currently set to commence on April 27, 2020, be **RESET** to June 15, 2020.¹ Specifically, the Court finds failing to

¹ The Court notes Defendant Gastelum (02) filed a motion to continue the pretrial conference and trial date in light of the Superseding Indictment, ECF No. 76, though Defendant Castillo (01) objected to the requested continuance. *See* ECF No. 98. Given the ongoing public health crisis, the Court finds a continuance in the interests of justice and therefore Defendant Gastelum's (02) Motion to Continue Trial Date

1 reschedule the pretrial conference poses an undue risk of transmission of the virus,
2 including to Defendants, counsel, Court staff, law enforcement personnel, and the
3 public at large. Moreover, the impact of public health advisories has reduced the
4 availability of Court staff to conduct the hearing as scheduled.

5 Accordingly, **IT IS HEREBY ORDERED:**

6 **1.** The pretrial conference, currently set for April 2, 2020, is **STRICKEN**
7 and **RESET** to **May 13, 2020 at 9:00 A.M. in Richland.**

8 **2.** The jury trial currently set to commence on April 27, 2020, is
9 **STRICKEN** and **RESET** to **June 15, 2020 at 9:00 A.M. in Richland.**

10 The final pretrial conference will commence at **8:30 A.M.** on the first
11 day of trial.

12 **3.** The Court finds, given the outbreak of the COVID-19 virus, that
13 failing to reschedule the hearing would result in undue risk to
14 Defendants, counsel, law enforcement, Court staff, and the public at
15 large. The Court also finds the impact of public health advisories on
16 the availability of Court staff requires the hearing be rescheduled. The
17 Court, therefore, finds the ends of justice served by resetting the
18

19 and Pre-Trial Conference and Reset Deadlines, ECF No. 98, is **DENIED AS**
20 **MOOT.** Nevertheless, the Court adopts the case management deadlines Defendant
Gastelum (02) and the Government proposed in connection with that motion, *see*
ECF No. 99 at 3–4, as those parties conferred and found them agreeable.

ORDER RESETTING PRETRIAL CONFERENCE, TRIAL, AND RELATED
CASE MANAGEMENT DEADLINES – 2

hearing in this matter outweigh the best interest of the public and Defendants in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

4. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court **DECLARES EXCLUDABLE from Speedy Trial Act calculations** the period from **April 2, 2020**, the date of the original pretrial conference, through **May 13, 2020**, the date of the rescheduled pretrial conference, as the period of delay required by the interests of justice.


5. In light of the delay associated with this Order, the remaining case management dates and deadlines in this matter are amended as follows:

	Current Date/Deadline	Revised Date/Deadline
All pretrial motions, including discovery motions, <i>Daubert</i> motions, and motions <i>in limine</i>, filed	PASSED	April 14, 2020
PRETRIAL CONFERENCE <i>Deadline for motions to continue trial</i>	April 2, 2020 9:30 AM - RICHLAND	May 13, 2020 9:00 AM - RICHLAND
CIs' identities and willingness to be interviewed disclosed to Defendants (if applicable)	March 27, 2020	May 15, 2020
Grand jury transcripts produced to Defendants Case Agent: CIs: Other Witnesses:	March 27, 2020 March 27, 2020 March 27, 2020	May 15, 2020 May 15, 2020 May 15, 2020
Exhibit lists filed and emailed to the Court	April 20, 2020	June 8, 2020
Witness lists filed and emailed to the Court	April 20, 2020	June 8, 2020

1	Trial briefs, jury instructions, verdict forms, and requested voir dire filed and emailed to the Court	April 20, 2020	June 8, 2020
2			
3	Exhibit binders delivered to all parties and to the Court	April 20, 2020	June 8, 2020
4	Delivery of JERS-compatible digital evidence files to the Courtroom Deputy	April 20, 2020	June 8, 2020
5			
6	Trial notices filed with the Court	April 20, 2020	June 8, 2020
7	Technology readiness meeting (in-person)	April 24, 2020	June 11, 2020
8	JURY TRIAL	April 27, 2020 9:00 AM - RICHLAND	June 15, 2020 9:00 AM - RICHLAND
9			

10 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
11 provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals
12 Service.

13 **DATED** this 31st day of March 2020.

14 
15 SALVADOR MENDEZ, JR.
16 United States District Judge